

REMARKS/ARGUMENTS

CLAIM OBJECTIONS:

In the Office Action, the Examiner objected to claims 4, 5, 16-18 because of the informality of these claims being improperly labeled. In the Office Action, the Examiner objected to claims 2, 4, 5, 16-18 because of the informality of the lines of these claims being crowded too closely together, making reading difficult. Claims 2, 4, 5, 16-18 have been corrected to overcome the Examiner's objections.

CLAIM REJECTIONS:

In the Office Action, the Examiner rejected claims 2, 4, 5, 16-18 under 35 U.S.C. 103(a).

Claims 2, 4, 5, 16-18 stand rejected under 35 U.S.C 103(a) as being unpatentable over Gaudioso (US 6,799, 965) in view of Cafolla (US 4,529,376) and Jensen (US 6,709,266 B2).

In response to the Examiner's rejection of claims 2, 4, 5, 16-18 under 35 U.S.C. 103(a) as being unpatentable over Gaudioso (US 6,799, 965) in view of Cafolla (US 4,529,376) and Jensen (US 6,709,266 B2), Applicant respectfully points out that the prior art patents cited by the Examiner, when applied to the claim language of the present amended application in each of the claims rejected under 35 U.S.C. 103(a), do not suggest, or show motivation for, the combination or modification of the present invention. More specifically:

1. The Gaudioso (US 6,799,965) patent reference teaches away from the present invention in that it is directed towards assemblies for extinguishing a lighted candle flame

[see US Patent No. 6,799,965; column 1, lines 5 - 10, 35 - 38, column 2, lines 4 - 21, Claims 1 to 26], whereas the present invention teaches the direct opposite, i.e., maintaining a pleasing lighted candle. In re Lewmar Marine, Inc. v. Barient, Inc., 3 USPQ 2d 1766, 1767, 1768 (Fed. Cir. 1987). In the present invention the "motor moves said second magnet over said predetermined path modifying a magnetic field present substantially adjacent said first magnet, thereby causing a force onto said object, thereby causing said object and said bundle of lit candles to move in guided circular motions." [Claims, Page 1, lines 27 - 32; Fig. 4]. The present invention also teaches of an inexpensive device [specification, Page 2, lines 14 - 15] which can be used with one candle or a plurality of candles without regard to orientation of magnetic polarity [specification, Page 8, lines 22 - 23]. Thus, the Gaudioso reference teaches away from the present invention in that it is directed to apparatus which function by adhering to specific polarity alignment [see US Patent No. 6,799,965; column 4, lines 35 - 44], which properly functions when reverse polarity of magnetic members repel each other to extinguish a lighted candle [see US Patent No. 6,799,965; column 5, lines 5 - 19; Fig. 4], and wherein the physical distance between magnetic members varies as the apparatus functions [see US Patent No. 6,799,965; column 7, lines 5 - 9]. Further, Gaudioso teaches limited rotatable motion in perpendicular planar orientation between magnetic members [see US Patent No. 6,799,965; column 5, lines 10 - 21; Fig. 4] whereas the present invention teaches full rotatable motion in parallel planar orientation between magnetic members [e.g., specification, page 9, lines 12 - 21; Figs. 3, 6 and 7].

The Cafolla (US 4,529,376) patent reference seeks to provide candle rotation in one embodiment of the invention by rotating the candle structure within a cylindrical housing using spiral tracks forming a rotational descending path [see US Patent No. 4,529,376; column 2, lines 45 - 67]. Thus, the Cafolla invention teaches away from the present invention in that candle rotation is accomplished by having the candle structure physically mate with the spiral grooves in the cylindrical housing thus making the source of movement readily apparent as the candle structure descends within the cylindrical housing, whereas the present invention teaches candle movement through magnetic interactions creating "a "magical" effect in that it creates the appearance of an object that moves with no external cause" [see Specification Page 2, lines 16 - 18 (Paragraph 0008)]. Further, Cafolla teaches limited candle structure rotation speed relative to fuel consumption [see US Patent No. 4,529,376; column 2, lines 60 - 63] whereas the present invention teaches candle rotation speed determined by the rotation speed of the motor [see Specification, Page 9, lines 13 - 21]; the present invention teaches candle structure rotation directly affected by the speed and direction of the motor, thus candle structure rotation can be stopped if desired, while candle remains lit. Furthermore, Cafolla does not expressly or implicitly disclose the use of a motor or magnets which are essential elements of the present invention. Cafolla teaches of a candle structure requiring fuel consumption to rotate whereas the present invention teaches of a candle floatable on the surface of non-combustible liquid. In re Lewmar Marine, Inc. v. Barient, Inc., 3 USPQ 2d 1766, 1767, 1768 (Fed. Cir. 1987).

2. The claims are believed allowable as amended because the references may not be combined in the manner attempted for the reason that it is not permissible to use the claims as a framework to pick and choose among individual references to recreate the claimed invention. In re Beasley, No. 04-1225, 117 Fed. Appx 739, 743 - 745 (Fed. Cir. 2004); In re Fine, 5 USPQ 2d 1596, 1599 (Fed. Cir. 1988).

3. The claims are believed allowable as amended because the references may not be combined in the manner attempted for the reason that the fact that a prior art structure could be modified to produce the claimed invention does not make the modification obvious unless the prior art suggests the desirability or, or motivation for, the modification. In re Fritch, 23 USPQ 2d 1780, 1783 (Fed. Cir. 1992). There are no teachings, motivations, suggestions, or incentives in the prior art references of Gaudio (US 6,799,965), Cafolla (US 4,529,376) and Jensen (US 6,709,266) to modify or to combine the prior art in the manner suggested by the Examiner. In fact, the Gaudio reference relies upon magnetic attraction less powerful than that delivered by the present invention since its stated objective is to act to repel equal polarity to tip the burning candle flame into a pool of wax [US Patent No. 6,799,965; column 7, lines 5-9]. The Jensen reference seeks to provide candle rotation by direct motor drive and a spindle attached thereto [US Patent No. 6,709,266; column 6, lines 40 - 51]. Furthermore, the Jensen reference teaches away from the present invention since it seeks to provide a candle trimming holder where the candle holder base rotates to effectively trim a candle [US Patent No. 6,709,266; column 1, lines 26 - 29 column 3, lines 13 - 19] whereas the

present invention teaches of a decorative apparatus for effectively rotating burning floating candle structures [see Specification, Page 9, lines 12 - 21]. ~ The Schirneker reference seeks to provide rotation of wicks immersed in oil. These wicks are physically attached to a rotary body [US Patent No. 4,384,847; column 3, lines 46 - 50]. Schirneker does not expressly or implicitly disclose the use of floating candles or magnets which are essential elements of the present invention. Schirneker teaches of a candle structure requiring fuel consumption to rotate whereas the present invention teaches of a candle floatable on the surface of non-combustible liquid. In re Lewmar Marine, Inc. v. Barient, Inc., 3 USPQ 2d 1766, 1767, 1768 (Fed. Cir. 1987). Furthermore, Schirneker teaches limited rotation speed relative to fuel combustion whereas the present invention teaches controlled candle rotation speed determined by the rotation speed of the motor [see Specification, Page 9, lines 13 - 21]. Furthermore, the Schirneker invention seeks to provide a device suitable for room heating [US Patent No. 4,384,847; column 1, lines 23-27] whereas the present invention seeks to provide a simple esthetically pleasing decorative apparatus, which is relatively easy to use and relatively easy and inexpensive to manufacture, for rotating burning candles [see Specification Page 2, lines 12-16].

None of the references cited by the Examiner teach or otherwise suggest applying any of their respective disclosed or claimed features to floating candles.

The Jordan reference teaches of a device with drastic similarities to the one claimed in the present application. The application for the present invention was made with

request for foreign priority (CA 2427461). Applicant filed for foreign priority whilst respecting the timelines set forth (In re M.P.E.P. § 1.55 Claim for foreign priority), and this request for foreign priority was acknowledged by the USPTO in writing. Applicant respectfully points out that the Jordan patent application [US Application No. 10/805,837; US 7,090,369] was filed on 03/22/2004, thus 11 months after the filing date of Applicant's foreign application in Canada (CA 2427461) which was filed on 04/22/2003. The USPTO Inventor's Assistance Center as well as attorneys have been consulted on this matter. Applicant respectfully requests that the Jordan patent [US 7,090,369] not be considered as a valid cited reference, relied or not relied upon, for this patent application. Furthermore, Applicant respectfully requests that the validity of the Jordan patent [US 7,090,369] issued on 08/15/2006 be revised since Applicant was granted a patent for a similar invention in a foreign country and this foreign patent was filed 11 months prior to Jordan's patent application. Applicant respectfully requests that this matter be clarified and rectified.

In view of the above, Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

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Amendments to the Specification:

The office action stated that the substitute specification filed on 03/03/2006 has not been entered because it did not conform to 37 CFR 1.125(b) and (c) because a clean copy was not provided. The original specification filed with this application was re-written to conform to the Patent Act and Rules.

The Applicant respectfully submits that the replacement specification being filed is in allowable form. The replacement specification does not contain any new matter.

Following are: the original specification (all in strikethrough since it was completely rewritten), a marked-up version of the replacement specification, a clean copy of the replacement specification.

Original Specification begins here:

Title: ~~MAGIC CANDLES and OIL CANDLES~~
~~MAGIC ADVERTISEMENT DISPLAYS~~

ABSTRACT

~~The description included below explains how to create a display of moving, floating candles or oil candles. The same system can be employed for advertisement purposes.~~

~~This is accomplished utilizing magnets, and the outcome is impressive because the method employed to create the movement is not obvious to the audience.~~

DESCRIPTION

Reference for description section: Figures 1 through 7.

~~A slow rotation motor (B) is placed into a box (A). A magnet or electromagnet of polarity S N is placed on the axis of the motor B. A bowl or container (D) is placed at a distance of about 3cm or more above box A.~~

The composition of container D can be glass, plastic or any other non-magnetic material, preferably transparent. Container D can be of any shape (round, oval, rectangle, etc). Part of container D is filled with liquid, preferably pre-boiled filtered water (R). A non-magnetic floating box (E) is placed on the surface of the liquid within container D. Box E can be made of plastic, non-magnetic metal, other non-magnetic material such as cork, Styrofoam or box E can be some inflatable floating object.

A magnet of polarity N-S is placed at point O (center of bottom inner surface of box E) within box E. Box E is then air tightly sealed. Candles or oil candles are placed on the surface of box E at point W.

Note 1: The system described above can be decorated as desired (using flowers, colors, lighting, etc).

Note 2: Motor B and the magnet of polarity S-N placed on its axis can be positioned above, below or within container D (refer to figure 14).

FUNCTIONALITY—System I

When motor B spins, the magnet S-N on its axis also spins. The magnet on the axis of motor B creates a magnetic field, which goes through box A, container D, and the liquid R (within container D) and causes box E to spin on the surface. In turn, this causes the real, lit candles or oil candles placed on box E to spin as well.

Note: The sizes of the various components that make up this system will depend on the size and weight of the candles or oil candles that are to be placed on box E. Box E must be able to support the weight of the candles or oil candles to be placed on it.

Note: The systems described above can be employed for various uses.

FUNCTIONALITY—System II

For System II, please refer to figures 8, 9, 10, 11 and 12. This system is a deviation of System I described above.

An axis HT is placed on the axis of motor B (L); a magnet or electromagnet of polarity S N is placed on point C of the axis HT. With this method, box E (and therefore the oil candles or candles placed on it) will move but their motion will be different than the one obtained in System I.

In System II the magnet of polarity S N can be used to create motions different from the circular one we have seen. If magnet SN is used in different mechanical systems and the size and shape of container D are modified accordingly, motions such as half circle, back and forth, and various others can be accomplished thus causing the candles or oil candles to move along paths such as zigzag, lengthwise, oval, etc.



Note: Aside from the system designed with water and magnets, described above, additional motions can be created utilizing mechanical methods.

The systems described above can be utilized for decorative and advertising purposes. They can be designed to be placed on a tabletop or to be hung (as from a hook for example). For hanging model please see figures 13 and 14.


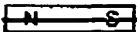
The system utilizing magnets is impressive and mysterious because the method employed to create the movement is not obvious to the audience, which is why the word "magic" is employed in the title.

TECHNICAL INFORMATION

a. ~~If it is desired that box E spins in the center of container D, a U-shaped magnet S~~

~~N~~  ~~SN~~ must be used within item A along with a U-shaped magnet N ~~S~~  ~~NS~~ within item E (see figure 4).

b. ~~If it is desired that item E travels on the inner perimeter of item D, a U-shaped~~

~~magnet S~~  ~~N~~ ~~SN~~ must be used within item A along with a rectangle magnet N-S  within item E.

c. ~~A great range of different motions can be accomplished by utilizing magnets, electromagnets or electronic coils of various shapes and strengths, placed above, below or elsewhere around container D (on the sides for example).~~

d. ~~Other materials such as cork, inflated rubber, inflated plastic, Styrofoam, etc can replace box E.~~

e. ~~Item E can be designed to contain the oil (for oil candle) within it. In this case it~~

~~would be preferable if item E were shaped as a bowl:-~~



f. ~~The strength of attraction exercised by the magnet placed in item A onto the magnet placed in item E depends on the distance between items A and E. If the distance between them is too large then item E will not move (spin) and if it is too little then item E will be pulled towards the bottom of container D.~~

g. ~~Item E must be able to support the weight of all the candles or oil candles that are to be placed on it.~~

- ~~• Item E on figures 1, 2 and 3 is able to support a weight of 800g~~
- ~~• Item E on figures 4, 5, 6 and 7 is able to support a weight of 700g~~
- ~~• Item E on figures 10, 11, 12, 13, 14 and 15 is able to support a weight of 300g~~

h. ~~Item E is expected to float and could be designed with a keel under it in order to increase its balance.~~

i. ~~Item K appearing on figures 8, 9 and 10 is a non-magnetic metal counterweight (like copper for example).~~

- j. Item O appearing on figures 3 and 5 indicates the center position where the magnet is to be placed.
- k. Figure 12 represents the top view of item A for figures 8, 9, 10 and 11.
- l. The magnet appearing in item A on all figures can attract and hold a weight of 1.5 kg).
- m. The specifications of motor B are as follows:
 - 120 VAC
 - 60 Hz
 - 3.5W
 - 25mA
 - 4.8 RPM or a little more

(Note: Any motor of 4.8 or a little more RPM's can be used.)

- n. The distance between components as well as the strength of motors and magnets used will depend on the size of the system to be developed. There is no specific limit in size for this system; it can be designed to be small (as for tabletop) or quite large.

The distance and size of the various components as well as the strength of motors and magnets is not specified for very large systems, however, I am providing exact distances, sizes, and magnetic strengths for the various components on each figure included; these can be used as a base for bigger and smaller models.
- o. While preserving both the strength of the magnets, which appear on the figures included, and the distance between them, the diameter of container D and the size of box E can be enlarged as desired.
- p. The distance between the magnets within item A and item E can be altered by a few centimeters (more or less) without affecting the system's functionality.
- q. If the depth of container D increases (thus increasing the distance between items A and E) the strength of the magnets must also increase.

Small magnetizable metals can be placed directly underneath the candles or oil candles replacing box E and magnet S-N.

Marked-Up copy of Replacement Specification begins here:

TITLE OF THE INVENTION

Decorative apparatus with moving candles

This application claims priority from Canadian Patent Application Serial Number 2,427,461 filed April 22, 2003.

FIELD OF THE INVENTION

[0001] The present invention relates to the field of decoration. More specifically, the present invention is concerned with a decorative apparatus.

BACKGROUND OF THE INVENTION

[0002] Most objects used for to decorate are implements that do not include any moving part. However, the use of moving parts would enable to create aesthetic effects that are not achievable with devices or implements that do not include such moving parts.

[0003] In cases wherein a decorative apparatuses includes moving parts, the parts typically move with respect to each other through mechanical components that are actuated by a motor. However, in many cases, it is undesirable that such mechanical components be used as they are readily seen by the persons who are looking at the apparatus. Therefore, the source of movement is readily apparent, which may in some cases reduce the visual impact of the decorative apparatus.

[0004] In view of the above, there exists a need in the industry to provide a novel decorative apparatus.

[0005] An object of the present invention is therefore to provide an improved decorative apparatus.

SUMMARY OF THE INVENTION

[0006] In a first broad aspect, the invention provides an apparatus usable with a liquid. The apparatus includes a container for receiving the liquid and an object. The object is substantially buoyant and supportable by the liquid while being at least in part submerged into the liquid. A first magnet is mounted to the object, the first magnet defining first magnet first and second magnetic poles having opposed polarities. A second magnet is movable over a predetermined path relatively to the container. The second magnet defines second magnet first and second magnetic poles having opposed polarities. Moving the second magnet over the predetermined path modifies the magnetic fields present substantially adjacent the first magnet, thereby causing a force onto the object.

[0007] Advantageously, the apparatus is relatively easy to use and relatively easy and inexpensive to manufacture.

[0008] Moving the object through magnetic interactions creates a "magical" effect in that it creates the appearance of an object that moves with no external cause.

[0009] In some embodiments of the invention, the object may support a combustible light source, such as an oil lamp or a candle. In this embodiment of the invention, the water reflects at least in part the light emitted by the combustible light source, which also increases the aesthetics of the apparatus.

[0010] Another advantage of the present invention is that it is relatively easy to manufacture the apparatus such that it is relatively quiet in operation. For

example, this is performed by using an electrical motor for moving the second magnet and using relatively simple components to attach the second magnet to the motor, which eliminates the need to have noise-causing gears.

[0011] In another broad aspect, the invention provides an apparatus usable with a liquid. The apparatus includes a container for receiving the liquid and an object, the object being substantially buoyant and supportable by the liquid while being at least in part submerged into the liquid. An actuator is operatively coupled to the object for moving the object relatively to the container.

[0012] Other objects, advantages and features of the present invention will become more apparent upon reading of the following non-restrictive description of preferred embodiments thereof, given by way of example only with reference to the accompanying drawings.

BRIEF DESCRIPTION OF THE DRAWINGS

[0013] In the appended drawings:

[0014] Figure 1, in a perspective view, illustrates an apparatus in accordance with an embodiment of the present invention, the apparatus including a container filled with a liquid and an object supported by the liquid;

[0015] Figure 2, in a perspective view, illustrates the container of Fig. 1;

[0016] Figure 3, in a side elevation cross-sectional view, illustrates the apparatus of Fig. 1 with the object supporting candles;

[0017] Figure 4, in a side elevation cross-sectional view, illustrates an

apparatus in accordance with an alternative embodiment of the present invention;

[0018] Figure 5, in a side elevation cross-sectional view, illustrates an apparatus in accordance with another alternative embodiment of the present invention;

[0019] Figure 6, in a side elevation cross-sectional view, illustrates the apparatus of Fig. 4;

[0020] Figure 7, in a bottom plan view, illustrates the container and object of the apparatus of Fig. 4;

[0021] Figure 8, in a side elevation cross-sectional view, illustrates an apparatus in accordance with yet another alternative embodiment of the present invention;

[0022] Figure 9, in a top plan view, illustrates the apparatus of Fig. 8;

[0023] Figure 10, in a side elevation cross-sectional view, illustrates an apparatus in accordance with yet another embodiment of the present invention;

[0024] Figure 11, in a side elevation cross-sectional view, illustrates an apparatus in accordance with yet another embodiment of the present invention;

[0025] Figure 12, in a partial top elevation view, illustrates the apparatus of Fig. 11;

[0026] Figure 13, in a side elevation cross-sectional view, illustrates an apparatus in accordance with yet another embodiment of the present invention;

[0027] Figure 14, in a side elevation cross-sectional view, illustrates an apparatus in accordance with yet another embodiment of the present invention;

[0028] Figure 15, in a perspective view, illustrates an apparatus in accordance with yet another embodiment of the present invention.

DETAILED DESCRIPTION

[0029] Figs. 1 to 3 illustrate an apparatus 10 including a container 12 for receiving a non-combustible liquid 14. The apparatus 10 further includes an object 16, the object 16 being substantially buoyant and supportable by the liquid 14 while being at least in part submerged into the liquid 14. The liquid 14 is water, colored water or any other suitable non-combustible liquid. An actuator is operatively coupled to the object for moving the object 16 relative to the container 12.

[0030] The container 12, as seen in the drawings, is substantially cylindrical. However, as seen in other embodiments of the invention shown in other Figures, the container 12 may take any other suitable shape, such as for example, the shape of a half-sphere. Also, in some embodiments of the invention, the container 12 is made of substantially transparent or translucent material. For example, the container 12 may be made of glass, colored glass, or translucent plastic, among other possibilities.

[0031] In the embodiment of the invention shown in Figs. 1 to 3, the

container 12 is not closed and, therefore, defines a top aperture 13 through which the liquid 14 may be poured and through which the object 16 may be inserted. In this embodiment of the invention, the liquid 14 therefore defines a surface 15 onto which the object 16 floats.

[0032] The object 16 is partially submersible and floatable onto the liquid 14. In some embodiments of the invention, as seen in the drawings, the object 16 includes a top portion 17 and a submersible portion 21 extending substantially downwardly therefrom. The object 16 has a configuration, dimensions and density such that the top portion 17 is typically above the surface 15 while the submersible portion 21 is submerged into the liquid 14 when the object 12 floats onto the liquid 14. For example, and non-limitingly, the submersible portion 21 is substantially concave and, more specifically, may take the shape of a portion of a sphere. In this case, the top portion may be substantially cylindrical, for example.

[0033] In some embodiments of the invention, as seen in Figure 2, the object 16 includes at least one of graphics and lettering inscribed thereonto. The graphics may be line-graphics or may consist of colored regions of the object 16 that produce a relatively pleasant aesthetic effect. The graphics, lettering or both may be also used for promotional purposes to advertise a brand, a product or a service, among other possibilities.

[0034] In some embodiments of the invention, as seen from Fig. 3, the apparatus 10 is usable with a combustible light source and the top portion 17 takes the form of a light source support for supporting the combustible light source above the liquid 14 in a conventional manner. For example, the combustible light source includes a candle 19, as seen in Fig. 3. In other embodiments of the invention, the combustible light source includes an oil lamp as described in further details hereinbelow.

[0035] Referring to Fig. 3, in some embodiments of the invention, the actuator includes a first magnet 18 and a second magnet 24. The first magnet 18 is mounted to the object 16 and defines first magnet first and second magnetic poles 20 and 22 having opposed polarities. For example, the first magnet 18 is mounted into the object 16 and hidden from view.

[0036] The second magnet 24 is movable over a predetermined path relatively to the container 12. The second magnet 24 defines second magnet first and second magnetic poles 26 and 28 having opposed polarities. The term "moving over a predetermined path" should be interpreted broadly and indicates either translational movements of the second magnet 24 relatively to the container 12, rotational movement of the magnet 20 relatively to the container 12, or combinations of rotational and translational movement of the second magnet 24 relatively to the container 12. In the embodiment of the invention shown in Figs. 1 to 3, the second magnet 24 rotates relatively to the container 12, as described in further details hereinbelow.

[0037] In some embodiments of the invention, the second magnet 24 is movable over the predetermined path manually. However, in other embodiments of the invention, as shown in Figs. 1 to 3, the second magnet 24 is movable by a motor 30 and a magnet support 32 rotatable by the motor 30 about a rotation axis 34. The second magnet 24 is mounted to the magnet support 32 so that at least one of the second magnet first and second magnetic poles 26 and 28 are located eccentrically relatively to the rotation axis 34.

[0038] In the embodiment of the invention shown in Figs. 1 to 3, the second magnet 24 is mounted to the magnet support 32 so that both the second magnet first and second magnetic poles 26 and 28 are located substantially eccentrically relatively to the rotation axis 34. In this specific embodiment of the invention, the second magnet 24 is substantially U-shaped and defines a second magnet first leg 36, a second magnet second leg 38 and a second magnet legs

connecting portion 40 extending therebetween.

[0039] The second magnet first magnetic pole 26 is located into the second magnet first leg 36 and the second magnet second magnetic pole 28 is located into the second magnet second leg 38. The second magnet 24 is attached to the magnet support 32 so that the second magnet first and second legs 36 and 38 are located substantially diametrically opposed to each other relatively to the rotation axis 34. In this embodiment of the invention, the support 32 takes the form of an axle substantially co-linear with the rotation axis 34 and rotated about its longitudinal axis by the motor 30.

[0040] Furthermore, the first magnet 18 is also substantially U-shaped and defines a first magnet first leg 42, a first magnet second leg 44 and a first magnet legs connecting portion 46 extending therebetween. The first magnet first magnetic pole 20 is located into the first magnet first leg 42 and the first magnet second magnetic pole 22 is located into the first magnet second leg 44. The first magnetic first and second legs 42 and 44 extend substantially towards the second magnet 24 when the object 16 is supported by the liquid 14. Furthermore, the second magnet first and second legs 26 and 28 extend substantially towards the first magnet 18.

[0041] In this embodiment of the invention, the first and second magnets 18 and 24 are aligned such that the first magnet first and second poles 20 and 22 face the second magnet first and second magnetic poles 26 and 28 in a manner such that poles having opposed polarities in different magnets face each other. This alignment is typically achieved spontaneously when the object 16 is first put in the liquid 14.

[0042] As shown in the drawings, in the apparatus 10, the first magnet 18 is mounted into the object 16 at a location substantially central in radial direction. Also, the candles 19 are supported by the object 16 at locations

substantially radially peripheral onto the object 16.

[0043] In some embodiments of the invention, the motor 30 and the second magnet 24 are mounted into a motor casing 48 that hides the motor 30 and the second magnet 24 from view. The container 12 is supported by a container support (not shown in Figs. 1 to 3) for suspending the container 12 spaced apart from the motor casing 48.

[0044] Typically, the object 16, the container 12 and the motor casing 48 are made of a non-magnetic material so that they do not interfere with the attraction between the first and second magnets 18 and 24. For example, the object 16 may be made of plastic, a non-magnetic metal, cork or Styrofoam™, among other possibilities. Also, in some embodiments of the invention, the object 16 is an inflatable object.

[0045] In use, the liquid 14 is poured into the container 12 and the container 12 is positioned above the motor casing 48. Then, the motor 30 is energized so that the magnet support 32 rotates about the rotation axis 34, which in turn rotates the second magnet 24. Since the second magnet first and second magnetic poles 26 and 28 move, the magnetic field present substantially adjacent the first magnet 18 is modified, which causes a magnetic force onto the first magnet 18 and consequently causes a force to be exerted onto the object 16. In this case, the object 16 rotates about its center, which causes the candles 19 to move in a substantially circular path above the liquid 14 in a plane substantially parallel to the surface 15 of the liquid 14.

[0046] Figs. 4, 6 and 7 illustrate an alternative embodiment of the invention wherein an apparatus 10a includes a container 12' having the shape of a half-sphere. In these embodiments of the invention, the container 12' might be supported spaced apart from the motor casing through a bowl support 52. For example, the bowl support 52 has an upper surface 54 that conforms

substantially to the shape of the container 12' and a bottom surface 56 that engages and is supported by the motor casing 48.

[0047] For example, the bowl support 52 includes a plurality of pillars circumferentially spaced apart from each other relatively to the container 12'. In another example, the bowl support 52 is substantially annular.

[0048] As shown in Fig. 7, the object 16 may support four candles 19 at substantially identically spaced angular locations substantially adjacent the periphery of the object 16.

[0049] Fig. 5 illustrates yet another embodiment of the invention wherein an apparatus 10b includes the container 12' and an alternative object 16'. The object 16' includes a cavity 23 for receiving oil therein and two oil lamps 58 extending substantially upwardly therefrom substantially at the periphery thereof. The oil lamps each include a respective wick 60 for conducting the oil towards the surface of the oil lamps 58 wherein the oil may be burned.

[0050] Figs. 8 and 9 illustrate an alternative embodiment of the invention wherein an apparatus 10c includes an alternative magnet support 32'. The magnet support 32' includes an axle 62 and a substantially elongated support member 64 defining a magnet support first end 66 and a magnet support second end 68 substantially longitudinally opposed to the magnet support first end 66.

[0051] The magnet support first end 66 is located substantially adjacent the rotation axis 34 and a second magnet 24' is attached to the magnet support substantially adjacent the magnet support second end 68. In this embodiment of the invention, the second magnet 24' is an alternative second

magnet 24' that is substantially elongated and has substantially longitudinally opposed magnet first and second magnetic poles 26 and 28. The second magnet 24' defines a second magnet longitudinal axis 29 that is substantially parallel to the rotation axis 34.

[0052] Also, in this embodiment of the invention, the first magnet 18 is located substantially eccentrically relatively to the object 16 and a counter-weight 72 is added so that the object 16 is floatable substantially horizontally onto the liquid 14.

[0053] In this embodiment of the invention, operating the motor 30 causes the second magnet 24' to move in a substantially circular path inside the motor casing 48. In turn, this causes forces onto the first magnet 18 that move the object 16 in a substantially circular path.

[0054] Fig. 10 illustrates another embodiment 10d of the present invention wherein the first magnet is an alternative first magnet 18' that is also a substantially elongated magnet.

[0055] Figs. 11 and 12 illustrate another alternative apparatus 10e wherein the object 16 is entirely submersible into the liquid 14. In the apparatus seen in Figs. 11 and 12, the object 16 therefore does not support a combustible light source. The specific weight of the object 16 is such that a balance between the magnetic force exerted by the second magnet 24' onto the first magnet 18 in a direction substantially longitudinally with respect to the second magnet 24' is balanced by the buoyancy of the object 16. In this embodiment of the invention, the container 12''' is a substantially hermetically sealable enclosure fillable with the liquid.

[0056] For example the container 12'' of the apparatus 10e is

substantially spherical. In some embodiment of the invention, the spherical container has a diameter that is substantially equal to the distance between the rotation axis 34 and the second magnet 24'. Then, if the object 16 is positioned at an intermediate location between the top and bottom ends of the container, and if the buoyancy of the object 16 is suitable, the container 12'' stabilizes the object 16'' such that it remains at a substantially constant distance from the second magnet 24'.

[0057] Figs. 13 and 14 illustrate yet other embodiments of the invention wherein apparatuses 10f and 10g include a container 12''' that is suspended from a top portion thereof through a substantially jib-shaped container support 52'. The motor 30, magnet support 32 and second magnet 24 may be located either below the container 12''' or above the container 12'''.

[0058] Figure 15 illustrates yet another apparatus 10h wherein the motor 30, magnet support 32, second magnet 24 and motor casing 48 are located at the bottom of the container 12, into the liquid 14.

[0059] While the embodiments of the invention shown in the drawings include two magnets, it is within the scope of the present invention to replace one of the magnets with a magnetizable member. The magnetizable member is magnetized by the magnet and therefore allows to create the magnetic interaction between the magnet and the magnetizable member that allows moving the object 14. Also, in some embodiments of the invention, at least one of the first and second magnets may be either a permanent magnet or an electro-magnet.

[0060] In other embodiments of the invention, the apparatus is decorated, for example with flowers, lighting or colors. Also, it is within the scope of the invention to use the above-described apparatuses with a candle illumination device including a variable color light source, such as the device

described in US Patent 3,762,857 issued to Andeweg on Oct 2, 1973.

[0061] Although the present invention has been described hereinabove by way of preferred embodiments thereof, it can be modified, without departing from the spirit and nature of the subject invention as defined in the appended claims.

Clean copy of Replacement Specification begins on next page:
